

NOV 16 2005

**FAX TRANSMISSION****DATE:** November 16, 2005**PTO IDENTIFIER:** Application Number 10/649,068-Conf. #4645  
Patent Number**Inventor:** Joseph L. Mark et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC  
Linda D. Kennedy**PHONE:** (248) 594-0619**Attorney Dkt. #:** 65937-0037**PAGES (Including Cover Sheet):** 15**CONTENTS:** First Preliminary Amendment (11 pages)  
Transmittal (1 page)  
Fee Transmittal (1 page)  
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)  
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Application No. (if known): 10/649,068

Attorney Docket No.: 65937-0037

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First Preliminary Amendment (11 pages)  
Transmittal (1 page)  
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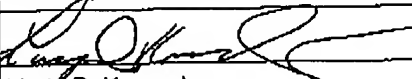
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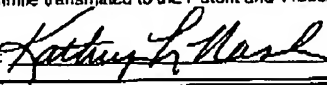
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/649,088-Conf. #4645
	Filing Date	August 27, 2003
	First Named Inventor	Joseph L. Mark
	Art Unit	3737
	Examiner Name	R. S. Smith
Total Number of Pages In This Submission	Attorney Docket Number	65937-0037

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	RADER, FISHMAN & GRAUER PLLC	
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Printed name	Linda D. Kennedy	
Date	November 16, 2005	Reg. No. 44,183

Transmittal	
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*Kathryn L. Wash*  
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Docket No.: 65937-0037  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Joseph L. Mark et al.

Application No.: 10/649,068

Confirmation No.: 4645

Filed: August 27, 2003

Art Unit: 3737

For: INTRODUCTION SYSTEM FOR  
MINIMALLY INVASIVE SURGICAL  
INSTRUMENTS

Examiner: R. S. Smith

**FIRST PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 6 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.

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